



NEWS

Judicial Council of California
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Release Date: December 22, 2003

Release Number: S.C. 52/03

SUMMARY OF CASES ACCEPTED DURING THE WEEK OF DECEMBER 15, 2003

[This news release is issued to inform the public and the press of cases that the Supreme Court has accepted and of their general subject matter. The description or descriptions set out below do not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

#03-152 Coalition of Concerned Communities, Inc. v. City of Los Angeles, S119897. (B149092; 111 Cal.App.4th 1166; Los Angeles County Superior Court; BC207782.) Petition for review after the Court of Appeal affirmed the judgment in an action for writ of administrative mandate. The court limited review to the following issue: Does the term “housing development”—for purposes of the Mello Act requirement that a developer provide affordable housing, where feasible, when a new housing development is constructed within the coastal zone subject to the jurisdiction of the California Coastal Commission (Gov. Code, § 65590)—refer only to the actual housing component of a project, or is the Mello Act applicable if some aspects of the project are in the coastal zone even if all actual housing is to be constructed outside the coastal zone?

#03-153 In re Price, S069685. Original proceeding. In this case, which is related to the automatic appeal in People v. Price (1991) 1 Cal.4th 324, the court issued an order to show cause limited to the following issue: Is petitioner entitled to relief on the claim the prosecutor in this case improperly tampered with a sitting juror by sending her alcoholic drinks and money and telling her to return a guilty verdict?

(over)

#03-154 People v. McDaniel, S120337. (C040513; unpublished opinion; Placer County Superior Court; 6220154.) Petition for review after the Court of Appeal affirmed in part and reversed in part a judgment of conviction of criminal offenses. The court ordered briefing deferred pending decision in People v. Griffin, S109734 (#02-171), which presents the following issue: Does “force” for purposes of the offense of rape “by means of force” (Pen. Code, § 261, subd. (a)(2)) have a specialized meaning supporting a sua sponte duty to instruct a jury with the definition of the term?

#03-155 People v. Villegas, S119828. (B163953; unpublished opinion; Los Angeles County Superior Court; BA225497.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses. The court ordered briefing deferred pending decision in People v. Howard, S108353 (#02-151), which includes the following issue: Is the offense of driving in willful or wanton disregard for the safety of persons or property while fleeing from a pursuing police officer (Veh. Code, § 2800.2) a felony inherently dangerous to human life for purposes of the second degree felony-murder rule?

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